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APPLE, INC.

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

EPL HOLDINGS, LLC

Plaintiff,

v.

APPLE INC.

Defendant.

APPLE INC.

Counterclaimant,

v.

EPL HOLDINGS, LLC

Counterclaim Defendant.

Case No. 5:12-cv-4306 (EMC)

**STIPULATION REQUESTING  
CONTINUANCE OF CASE  
MANAGEMENT CONFERENCE AND  
~~PROPOSED~~ FORM OF ORDER**

1 Plaintiff and Counterclaim Defendant EPL Holdings, LLC (“EPL”) and Defendant and  
2 Counterclaimant Apple Inc. (“Apple”) hereby stipulate as follows:

3 1. WHEREAS, the Court, by Order dated October 10, 2012, scheduled a case  
4 management conference pursuant to Federal Rule of Civil Procedure 16 and Civil Local Rule 16-10  
5 for November 15, 2012 at 9:00 a.m.;

6 2. WHEREAS, lead counsel for Apple Inc., Michael D. Jay, is unavailable on November  
7 15, 2012, due to a previously-scheduled hearing in another matter; and

8 3. WHEREAS, continuing the case management conference to November 16, 2012 at  
9 9:00 a.m., or to a later date convenient for the Court, will not alter the date of any event or any  
10 deadline already fixed by Court order.

11 NOW, THEREFORE, the parties, through their respective counsel-of-record, hereby request  
12 that the Court continue the case management conference, currently schedule for November 15, 2012  
13 at 9:00 a.m., to November 16, 2012 at 9:00 a.m. or to a later date convenient for the Court.

14 SO STIPULATED:

15  
16 Dated: October 15, 2012

BOIES, SCHILLER & FLEXNER LLP

17 By: /s Michael D. Jay  
18 Michael D. Jay

19 *Attorneys for Defendant and Counterclaimant*  
20 APPLE INC.

21 Dated: October 15, 2012

SNR DENTON USA, LLP

22 By: /s Pamela K. Fulmer  
23 Pamela K. Fulmer\*

24 *Attorneys for Plaintiff and Counterclaim Defendant*  
25 EPL HOLDINGS, LLC  
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1 \* I, Michael D. Jay, am the ECF user whose ID and password are being used to file this Stipulation  
2 and Proposed Form of Order. In compliance with Civil L.R. 5-1(i)(3), I hereby attest that I have on  
3 file the concurrences for each of the other signatories of this efiled document.

4 By: /s Michael D. Jay  
5 Michael D. Jay  
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7  
8 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

9 Dated: 10/15/12

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12 THE HONORABLE EDWARD M. CHEN  
13 UNITED STATES DISTRICT JUDGE  
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